

\$~30

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **W.P.(CRL) 1065/2017**

AMAR SINGH

..... Petitioner

Represented by: **Mr. Nitin Sharma, Adv.**

versus

STATE & ANR

..... Respondent

Represented by: **Mr. Sanjay Lao, ASC with Mr. Sidharth Sindhu, Adv. with SI Shri Bhagwan, PS Neb Sarai. R-2 in person.**

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

28.02.2018

%

By the present petition the petitioner seeks quashing of FIR No. 275/2013 under Sections 420/467/471 IPC registered at PS Neb Sarai, Delhi on the complaint of Respondent No.2 and the proceedings pursuant thereto on the ground that the parties have settled the matter.

Learned Additional Standing Counsel for the State on instructions from Investigating Officer submits that in the above-noted FIR the petitioner is the only accused and respondent No.2 the only complainant/ victim.

Respondent No. 2 is present in Court and is identified by the learned counsel and the Investigating Officer. He states that he has settled the matter with the petitioner vide the memorandum of understanding dated 16th March, 2017 copy whereof is annexed as Annexure F to the present petition. In lieu of respondent No.2's claim of ₹9,50,000/- the petitioner has already

W.P.(CRL) 1065/2017

page 1 of 3

paid a sum of ₹5 lakhs to him and the balance amount of ₹4,50,000/- has been deposited by the petitioner before the learned Trial Court i.e. learned Metropolitan Magistrate (South), Saket Court in FIR No. 275/2013 under Sections 420/467/471 IPC registered at PS Neb Sarai and the respondent No.2 would be entitled to withdraw the same along with the interest if any that has accrued thereon. He states that he would abide by the terms of settlement arrived at between the parties and since he has settled the matter he does not wish to pursue the above noted FIR and the proceedings pursuant thereto.

Petitioner who is present in Court and is identified by the learned counsel affirms the statement of respondent No.2 and undertakes to abide by the terms of settlement. He further states that he has no objection if the amount of ₹4,50,000/- deposited by him in cash with the learned Trial Court is released to the respondent No.2.

In view of the fact that the parties have amicably resolved their differences of their own free will, volition and without any coercion and no useful purpose will be served in continuance of the proceedings, rather the same would create further acrimony between them, it would be in the interest of justice to quash the abovementioned FIR and the proceedings pursuant thereto. There is no legal impediment in quashing the FIR in question.

Consequently, FIR No. 275/2013 under Sections 420/467/471 IPC registered at PS Neb Sarai, Delhi and proceedings pursuant thereto are hereby quashed. The learned Trial Court is directed to release the sum of ₹4,50,000/- in favour of the respondent No.2.

Parties have signed this order sheet in acknowledgment of their statements made before this Court.

Petition is disposed of. Order dasti.

MUKTA GUPTA, J.

FEBRUARY 28, 2018
‘ga’